



**Jim Doyle, Governor**  
**Mary P. Burke, Secretary**

## Wisconsin Department of Commerce Bureau of PECFA

### Bid Document

#### SECTION 1 - Scope of Work:

The Bureau of PECFA is seeking competitive bids to perform remedial action services on a petroleum release from a regulated petroleum product storage tank system. This bid is through a specified work scope. The site upon which bids are being solicited is:

**Bid Round Number:** 40  
**Comm Number:** 53811-9726-70-A  
**BRRTS Number:** 03-22-285018  
**Site Name:** Luella Donovan Property  
**Site Address:** 1470 Frontage Rd Hazel Green WI

**Project Manager:** Randy Maass  
**Project Manager address:** 3911 Fish Hatchery Rd Fitchburg WI 53711  
**Project Manager phone:** 608-275-3224  
**Project Manager e-mail address** [randall.maass@dnr.state.wi.us](mailto:randall.maass@dnr.state.wi.us)

<b>Bid Announcement Date</b>	<b>11/7/2005</b>
<b>Questions or requests for information must be submitted in writing and received by:</b>	<b>11/21/2005 4:00 PM</b>
<b>Responses to the questions will be posted (and if requested, sent in writing) by:</b>	<b>12/9/2005</b>
<b>Bid End Date and Time:</b>	<b>12/23/2005 by Noon</b>

The case file including report(s) and other pertinent information upon which bids are being sought, and the qualified bid response, when determined, are available for inspection at:

**Department of Natural Resources, 3911 Fish Hatchery Rd, Fitchburg WI**

Please contact the project manager listed above for an appointment.

Copies of report(s) and other pertinent information may be available for purchase at the location listed below. If pertinent information is not available, please contact the project manager.

**Action Legal-Madison, 1 E Main St, Madison WI 53703**

**Phone: 608-663-1041**

**Fax: 608-663-1045**

## **SECTION 2 – Site-Specific Bid Specification Requirements:**

### **A) Project Manager Comments**

#### **1) General Comments:**

The “Donovan, Luella Property” site (03-22-285018) is located at 1470 Frontage Road adjacent to USH 151/61, approximately 1.5 miles south of Kieler, which is south of Dickeyville. The site was a gasoline station from the 1930s to 1986. The original underground storage tanks (USTs) and pump islands were removed in 1960 from a location that is now in Wisconsin Department of Transportation right-of-way; this location is the “Donovan Service” BRRTS site (03-22-254008) at the same address. Two new USTs and a pump island were installed approximately 60-80 feet northwest of the original USTs in 1960 and were removed in 1983. The USTs and pump island that operated from 1960-1983 constitute the “Donovan, Luella Property” BRRTS site.

In February 2000, petroleum contamination (e.g., 51 ppb benzene) was detected in a potable well at the property. In May 2000 seven soil borings were installed and soil contamination was found in a boring near the original USTs. In August 2001 eight additional soil borings were installed and very high concentrations of soil contamination were found in borings in the vicinity of the 1960-1983 pump island. In August 2002 seven more soil borings were installed to further define the extent of soil contamination in the vicinity of the 1960-1983 pump island.

In August 2002 four monitoring wells were installed. In June 2003, at the same time as installation of a new potable well, the contaminated potable well was converted to a piezometer (PZ-1), screened from 135-140 feet bgs. The monitoring wells have been sampled three times (except for MW-3 which was dry during the second sampling round), and the piezometer has been sampled once. Groundwater is contaminated at MW-2, MW-4 and PZ-1 (e.g., maximum benzene concentrations of 24,000, 14,000 and 87 ppb, respectively). Private potable wells located 400 feet south and 600 feet north of the site were sampled in April 2001 and had no detects of volatile organic compounds (VOCs). The new potable well, cased to 260 feet bgs and open to 343 feet bgs, was sampled in September 2003 and had no detects of VOCs.

The site is underlain by clay and silt to 14-16 feet bgs in the vicinity of the pump island. Dolomite/limestone is present below, to approximately 295 feet bgs. The water table is in bedrock at 75-90 feet bgs. Flow direction is southwest. The horizontal gradient is 0.12.

Soil contamination exceeds NR 746 Table 1 values (indicator of residual petroleum product in soil pores) at G4, G5, G6, GP-9, GP-10, and GP-15 in the vicinity of the 1960-1983 pump island. In addition, several of these borings have samples from the upper 4 feet that exceed NR 746 Table 2 values (direct contact threat). Auger refusal at the top of bedrock at 14-16 feet bgs was encountered at G4, G5, G6, and GP-15. Borings GP-9 and GP-10 were terminated at 4 feet bgs, but not because of auger refusal. The combined results from these six borings suggest that high concentrations of petroleum contamination extend from near the ground surface to the top of bedrock in the area of the 1960-1983 pump island.

2) The following Environmental Factor(s) were identified in the Site Investigation Report for this site:

- ☐ Documented expansion of the plume margin.
- ☒ Verified contaminant concentrations in a private or public potable well that exceeds the preventive action limit established under ch. 160, Stats..
- ☒ Contamination within bedrock or within 1 meter of bedrock.
- ☐ Petroleum product that is not in the dissolved phase is present with a thickness of .01 feet or more, and verified by more than one sampling event.
- ☐ Documented contamination discharges to a surface water or wetland.

3) Minimum Remedial Requirements:

Soil: Excavate a minimum of 875 cubic yards of contaminated soil from the area of the 1960-1983 pump island. The excavation shall be to the top of bedrock, the expected average depth of which is 15 feet bgs in the vicinity of the pump island. The area of excavation shall include, but not be limited to, G4, G5, G6, GP-8, GP-9, GP-10, and GP-15. The area of excavation shall extend approximately 5 feet beyond G5, GP-8, GP-10 and GP-15 (approximately 45 feet north-south and approximately 35 feet east-west). The contaminated soil must be managed in accordance with applicable solid waste regulations. The use of field screening or other appropriate technology is required in order to segregate clean excavated soil from contaminated soil. Any clean soil that is excavated can be used as part of the backfill of the excavation. An appropriate number of soil confirmation samples shall be collected from the base and sidewalls of the excavation and analyzed for petroleum volatile organic compounds (PVOCs).

To be compliant, the bid response shall include a drawing of the area of excavation, the volume of soil to be excavated and disposed of off site, and the cost per cubic yard of soil.

Groundwater: Analyze groundwater for PVOCs during five sampling rounds at MW-1, MW-2, MW-3, MW-4, and PZ-1 and measure water levels at these wells during each sampling round. The first sampling round shall pre-date the excavation. A minimum of 60 days and a maximum of 120 days after the excavation, begin conducting four quarterly rounds of groundwater monitoring. During two rounds, collect a minimum of dissolved oxygen, nitrate, manganese, ferrous iron, and sulfate analyses from all five wells to evaluate the occurrence of natural attenuation, following guidelines in Wisconsin Department of Natural Resources *Interim Guidance on Natural Attenuation for Petroleum Releases*, PUB-RR-614. The first round of natural attenuation parameters shall be collected during the pre-excavation sampling round and the second round shall be collected approximately one year later during one of the post-excavation quarterly sampling rounds.

Reporting: Within 60 days of the excavation, provide a brief summary of the excavation activities, including but not limited to, a site map, a map of the excavation, sample locations, information on depths, a table of soil confirmation sample analytical results, and a table of groundwater analyses. Within 60 days of

receipt of the results of the final groundwater sampling round provide a brief summary of the site activities and, at a minimum, a site map, a compilation table of groundwater analytical results, a compilation table of water level elevations, and a groundwater flow map.

The consultant who contracts with the responsible party to conduct the activities described in this scope of work must begin the work within 60 days of signing the contract with the responsible party.

Although this bid is not a bid to closure, there is a possibility of attaining closure at the conclusion of the scope of work outlined above. If the site becomes eligible for closure review, and the WDNR project manager concurs, prepare and submit a closure report for consideration by the WDNR, and provide a copy and cost estimate to the Department of Commerce. The closure request submittal shall comply with the most recent requirements, including appropriate forms and GIS Registry documents, described on the WDNR web page at

[www.dnr.state.wi.us/org/aw/rr](http://www.dnr.state.wi.us/org/aw/rr).

Bidders shall provide line item costs for the activities listed above in the table provided on the 3rd Page of the Bid Response. If a completed 3rd page is not included with the Bid Response, the Bid Response will be determined to be non-responsive. The winning bidder will not be allowed to move costs between the scope of work items without prior Commerce approval.

## **B) Bidder's Strategy for Remedial Action**

- 1) Identify the remedial strategy for a specified work scope.
- 2) Specifically describe what element of your proposed strategy will address the environmental factors/risk factors listed above. Also describe how, when, and why it will address them.
- 3) Provide a detailed description of the work to be performed. The description shall provide sufficient detail to establish that the proposed strategy will be successful in achieving a specified work scope identified above.
  - a) The detailed description may include, but is not limited to the following:
    - Technologies
    - Estimated years of operation
    - Estimated tons of soil
    - Approximate geometry/depth of excavation
    - Reporting details
    - Estimated years of monitoring
    - Frequency of sampling/number of wells/parameters
- 4) Specifically describe how you will address off-site contamination, if applicable.
- 5) Specifically describe how you will address any direct contact hazards, if applicable.

### **SECTION 3 - Conditions of Bid:**

The successful bidder will be the entity that complies with all provisions of the bid specification and provides the lowest total cost, excluding interest and claim preparation costs, for the site-specific bid specification requirements described in Section 2. PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional control and notices as required under §NR 726 Wis. Admin. Code. In preparing the bid, the bidder must assume compliance with all applicable codes, including but not limited to §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The successful bidder will be determined based upon conformance to and competitiveness under the bid protocol. The first determination will be whether the bidder has complied with all provisions of the bid. These bids will be considered responsive. From the responsive bids, the lowest total cost bid with an approvable approach to a specified work scope will be determined. Claim preparation costs will not be a part of the cost cap established by this bid. These costs (\$500 maximum per claim submittal) are still eligible for PECFA reimbursement and Commerce encourages timely claim submittals at appropriate milestones. Therefore, bidding consultants should not include claim preparation costs in their bid responses.

The successful bid will be available to be viewed at the location identified in Section 1. If two or more bidders tie in the cost comparison, the bid with the lowest consulting cost will be used as the tiebreaker. All bid documents must be signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin Department of Regulation and Licensing.

The Department reserves the right to reject any and all bids that meet any of the following conditions:

- The Department believes the remedial strategy is not appropriate to a specific geologic setting.
- From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

The name of the successful bidder, bid amount, proposed outcome and supporting documentation will be provided to the site claimant along with instructions to inform the PECFA program in writing of their intent to either:

- Use the lowest identified bidder or
- Use another service provider.

In either case, PECFA reimbursement is capped at the dollar amount of the successful bid.

A successful bid does not mean or guarantee that all costs in a resultant claim are eligible, reasonable, necessary or reimbursable under the PECFA program.

If a bidder fails to comply with a bid provision the bid response will be determined to be non-responsive. If the bid response is responsive, but not the lowest cost service provider with an appropriate approach, it will be determined to be “non-successful.” Non-responsive and non-successful bidders will not be individually informed of their failure to achieve compliance with the bid specifications or to be the lowest bidder.

The successful bidder may be required to provide input to, and attend a meeting with the PECFA program and the claimant to explain the bid and the remedial approach.

Appeals, by bidders, of decisions regarding complying bids or costs are not allowed, as they do not constitute claimant reimbursement decisions under the PECFA program.

In compliance with this invitation to bid and subject to all conditions thereof, the signatory agrees to the following:

- If the signatory's bid is determined to be successful, the signatory must, within 15 days of the Department's notification, contact the claimant and confirm that they will provide the remedial services at the cost described within the Bid Response.
- That for a period of 90 days, starting with the Department's notification to the claimant, the signatory will hold firm their commitment to provide the remedial services and prices set forth in the Bid Response.

Failure to abide with the conditions stated above may result in exclusion from future PECFA Public Bidding events.

Questions, answers and interpretations will be considered an amendment of this solicitation. All answers and interpretations shall be in writing from the Program Manager identified in Section 1 of this solicitation. Neither the program nor the Department shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date. After the date by which questions must be submitted by, identified in Section 1, no further questions will be addressed.

A written response will be provided at: <http://www.commerce.state.wi.us/ER/ER-PECFA-SiteBidding.html> (and mailed to all requesters of the bid package who are not able to access the web site, and who therefore request written correspondence from the program contact).

#### **SECTION 4 - Closure Specifications – If Applicable:**

A bid submitted must provide the total cost, excluding interest but including all closure costs, for the remediation up to approval as a closed remedial action status identified below:

**Unrestricted Closure**  
**Closure with a NR 140 exemption**  
**Closure with GIS Registry\***  
**Closure with deed notice\***  
**Closure with deed restriction\***  
**Closure with NR 720.19 soil standards**

**Performance based NR 720.19 closure**  
**Closure with site-specific conditions**  
**Closure under NR 726.07**  
**Closure under Comm 46/NR 746**  
**Mass reduction**

\* **Note:** PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a

*closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional controls and notices as required under NR 726. PECFA eligible costs may include all closure costs, up to approval as a closed remedial action (i.e. monitoring well abandonment) that are otherwise eligible for reimbursement.*

If the PECFA maximum award for the site/occurrence is not believed to be adequate to remediate the site/occurrence to a closed or no further remedial action status, that belief must be specifically noted in the bid and the remedial effort that will be achieved by the bid amount. For the purpose of the competitive bid the contaminant mass is determined to be: **Not Applicable**. The basis for specifying the progress shall be contaminant mass reduction and be based upon the mass reduction at the following points on the site:

Not Applicable

If the site is reasonably expected to exceed its cap under the PECFA program, bidders may propose mass reduction, the lowest bidder will be determined on the basis of a cost per mass reduction ratio. If some bidders propose mass reduction and others propose costs to bring the site to a closed remedial action or no further action status, selection will be from those bidders proposing a closed or no further action result.

## **SECTION 5 - Instructions to Bidders:**

By submission of a bid, bidder agrees that during the period following issuance of this solicitation and prior to notification of successful bidder, bidders shall not discuss the bid or bid process except with the program contact designated in this solicitation. Bidders shall not discuss or attempt to negotiate with the claimant, other potential bidders or program staff any aspects of the bid without prior approval of the Project Manager specified. Infractions will result in rejection of the violator's bid and may also result in disqualification of the individual to provide bids and a formal complaint being lodged with the Department of Regulation and Licensing.

The bid submitted shall address all the site specific bid specification requirements identified in Section 2. The bid shall support in detail the strategy to achieve a specified work scope, or remedial mass reduction goal if applicable. A full remedial action plan is not required as part of the bid submittal. A full remedial action plan may be requested by the program.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Project Manager. If the Project Manager is not able to arrange site access, this fact will not delay the bid process or negate the comparison and potential selection from among the bids that are submitted. All costs associated with a site visit or preparation of a bid will be the responsibility of the bidder.

The Bid Process must conform to the following:

1. If applicable, the closed remedial or no further action status to be achieved must be stated using the options available from the list provided in Section 4.
2. Indicate in the Bid Response a contaminant mass reduction proposal if the PECFA maximum award is not believed to be adequate to remediate the site/occurrence.
3. The Bid Response shall address all the site specific bid specification requirements identified in Section 2 and shall support in sufficient detail and succinctly the remedial strategy.
4. The total cost (in dollars) to accomplish the stated remedial goal, including all fees, reporting cost, pre and post closure costs and costs for establishing restrictions or institutional controls but, excluding claim preparation costs, interest, and investigation costs.
5. The costs specified in #4 shall separately identify consulting (non-commodity) costs.
6. The submittal must include an original and two (2) copies of the Bid Response documents signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. Include the appropriate registration number of the professional license.
7. Bids can not be "faxed" directly to the program. Documents received by fax will not be accepted or considered.
8. Bids, amendments thereto or withdrawal requests must be received by the time advertised for bid opening. It is the bidder's sole responsibility to insure that these documents are received by the contact at the time indicated in this solicitation document.
9. All specifications or descriptive papers provided with the bid submission must include the bidder's telephone number and Commerce number thereon. Identify the name of the consulting firm on the 1<sup>st</sup> Page of the Bid Response.
10. The Commerce Number must be on the outside of the envelope in which the bid is submitted. The Department assumes no responsibility for unmarked or improperly marked envelopes. All envelopes received showing a bid number will be placed directly under locked security until the date and time of opening. Include only one Bid Response (an original and two (2) copies) per envelope.
11. Correction of errors on the bid form: All prices and notations shall be printed in ink, typewritten or computer printed. Errors shall be crossed out, corrections entered and initialed by the person signing the bid. Erasures or use of correction fluid will be cause for rejection. No bid shall be altered or amended after the time specified for the bid end date.
12. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date.
13. Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).



14. From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.
15. If bidders consider the bid response to be proprietary information and exempt from disclosure, each part of the Bid Response must clearly marked *CONFIDENTIAL*. If any part is designated as confidential, there must be attached to that part an explanation of how the information is proprietary. The Department reserves the right to determine whether this information should be exempt from disclosure and no legal action may be brought against the State, Department or its agents for its determination in this regard.
16. The Bid Response must be appropriate to the site geologic setting.
17. Ambiguous bids, which are uncertain as to cost, time or compliance with this solicitation, will be rejected.
18. The Department reserves the right to reject any and all bids, and/or to cancel this solicitation at any time.
19. Each bidder shall fully acquaint itself with conditions relating to the scope and restrictions attending the execution of the work under the conditions of this solicitation. The failure or omission of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
20. All amendments to and interpretations of this solicitation shall be in writing from the Project Manager. Neither the Department nor the program shall be legally bound by any amendment or interpretation that is not in writing.
21. This solicitation is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this solicitation to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The solicitation may or may not be changed but a review of such notification will be made prior to award.

**BID RESPONSE**  
**(1<sup>st</sup> Page)**

Department of Commerce PECFA Program

**SITE NAME:** Luella Donovan Property  
**COMMERCE NUMBER:** 53811-9726-70  
**BRRTS NUMBER:** 03-22-285018

Submit Bid To: Cathy Voges  
Department of Commerce PECFA Program  
201 W Washington Ave, Madison WI 53703-2790 or  
P.O. Box 8044, Madison WI 53708-8044

Bidder Company: \_\_\_\_\_  
Bidder Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone: ( ) - \_\_\_\_\_  
Fax Number: ( ) - \_\_\_\_\_  
e-mail Address: \_\_\_\_\_

Bidder: (check one that applies):

_____	Professional Engineer	_____	License #
_____	Professional Geologist	_____	License #
_____	Hydrologist	_____	License #
_____	Soil Scientist	_____	License #

Seal

Signature: \_\_\_\_\_

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Total Bid Cost \$ \_\_\_\_\_

Total Consulting Cost (subpart of Total Bid) \$ \_\_\_\_\_

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

**BID RESPONSE**

**(2<sup>nd</sup> Page)**

Department of Commerce PECFA Program

**SITE NAME:** Luella Donovan Property  
**COMMERCE NUMBER:** 53811-9726-70  
**BRRTS NUMBER:** 03-22-285018

Consulting Firm phone number ( ) \_\_\_\_-\_\_\_\_

This response must address all of the site-specific specifications identified in Section 2, and shall support in detail the remedial strategy. Attach additional pages if necessary. *The Commerce Number and Consulting Firm telephone number must be included on all additional pages.* The pages of each Bid Response must be ***stapled*** together. No paper clips or spiral bindings please.

**BID RESPONSE**  
**(3<sup>rd</sup> Page)**

Department of Commerce PECFA Program

**SITE NAME:** Donovan, Luella Property  
**COMMERCE NUMBER:** 53811-97-2670  
**BRRTS NUMBER:** 03-22-285018

Consulting Firm phone number ( ) \_\_\_\_-\_\_\_\_

A bid will be considered to be non-responsive if the bid response does not include separate tabulation of costs as indicated below.

Volume of soil in cubic yards to be excavated and disposed of off site.

Cost per cubic yard to include excavation, soil characterization, transportation, disposal/management, reporting, consulting fees, etc.

\_\_\_\_\_  
\$ \_\_\_\_\_

Total cost of soil excavation and offsite disposal activities (first column multiplied by second column).

\$ \_\_\_\_\_

Five rounds of groundwater monitoring and water level measurement, two rounds of natural attenuation parameters, data preparation, reporting, consulting fees, etc. (non-closure).

\$ \_\_\_\_\_

All closure-related costs. Includes, but is not limited to, closure form and report, GIS Registry requirements, and well abandonment costs.

\$ \_\_\_\_\_

Total Bid Amount (sum) → also include on Page 1 of bid response

\$ \_\_\_\_\_